



December 16, 2005

The Honorable Mike Johanns, Secretary  
United States Department of Agriculture  
1400 Independence Avenue SW  
Washington, DC 20250-3355

Re: 2007 Farm Bill

Dear Secretary Johanns:

This letter is in response to the solicitation for comments on the 2007 Farm Bill that was published in the June 17, 2005 issue of the *Federal Register*.

Western Pennsylvania Conservancy (WPC) is a 501(c)3 non-profit conservation organization which has been active in the region since 1932. Our mission is to protect, conserve and restore land and water for the diversity of the region's plants, animals and their ecosystems. Through science-based strategies, collaboration, leadership and recognition of the relationship between humankind and nature, WPC achieves tangible conservation outcomes for present and future generations.

WPC has a proven record of engagement on issues related to the Farm Bill and its programs. We were directly involved with the formation of the Pennsylvania Ohio River Basin CREP, and remain active in enrolling eligible acres in the program by working directly with willing farmers who meet the requirements. Our Agricultural Conservation Services division of our Water Conservation Program has a full-time staff of four and earlier this year received a grant to conduct education and outreach in the watershed with the goal of increasing enrollment in the Ohio River Basin CREP. To date, WPC has: helped to implement 23 CREP Riparian Buffer projects since receiving the grant; created nine individual fact sheets and brochures to provide information and education to landowners about CREP with a total of 17,000 pieces presently in circulation; created the first ever state-wide CREP information hotline; provided CREP training for conservation professionals to 79 western PA practitioners; and conducted general outreach to an estimated audience of 13,000 individuals.

In addition WPC, through our Water Conservation Program, has direct experience working with farmers, providing technical assistance and enrollment assistance for eligible farmland related to other incentive-based Farm Bill programs, including the Environmental Quality Incentive Program, Wetlands Reserve Program and Wildlife Habitat Incentive Program.

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Western Pennsylvania Conservancy  
209 Fourth Avenue • Pittsburgh, PA 15222  
Telephone: 412-586-2300 • Fax: 412-281-1792  
www.paconserve.org

Through the course of our daily operations at WPC, we are acutely aware of the indisputable connection between sound conservation and sound agricultural practices. In addition, the need for conservation funding available directly to the agriculture sector is enormous. According to NRCS figures for 2004, only 26% of conservation contracts were funded, while 74% went unfunded. This clearly points to a demand that is not being met.

In this letter, Western Pennsylvania Conservancy will focus on addressing the issues raised by question #4 — “How can farm policy best achieve conservation and environmental goals.”

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## OVERVIEW

WPC offers the following recommendations to improve program administration, implementation, operation, oversight and accountability. We believe the overall effectiveness of Farm Bill programs can be increased, while both meeting demand and delivering tangible results to the ultimate beneficiary: a healthier and stronger environment reflected in improved water quality and more secure habitat for rare, threatened and endangered species.

Environmental and conservation goals will best be achieved under the conservation title and forestry title of the Farm Bill. These two sections of the legislation contain programs that directly impact wildlife habitat for biodiversity. While some programs have enjoyed more success than others due in large part to the level of funding appropriated annually by Congress, the broad slate of conservation programs currently authorized under the Farm Bill present the interested agricultural landowner with many options.

With this approach in mind, Western Pennsylvania Conservancy strongly urges that all conservation title programs receive reauthorization for a period of at least five years at their existing funding level or greater.

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## CONSERVATION TITLE PROGRAMS (GENERAL)

### *Technical Service Providers (TSPs)*

#### Recommendation

**Increase funding available to state offices to provide for the expanded use of TSPs.**

#### Recommendation

**Grant states more leeway in determining how and when to involve TSPs in advancing Farm Bill programs.**

#### Rationale

TSPs have the ability to add capacity to the services delivered by USDA. By providing the state NRCS and FSA offices with increased TSP funding and raised flexibility in determining how and when to involve the technical assistance of a TSP, as well as allowing for TSP assistance to span all conservation title programs, will dramatically increase the efficiency of USDA's ability to deliver conservation title programs.

### ***State Flexibility***

#### **Recommendation**

**Provide states the flexibility to customize conservation title programs to existing agricultural production infrastructure trends.**

#### **Rationale**

Granting states more authority, flexibility and input can influence the prudent distribution of funds. Due to the diversity and variety of agricultural practices and methods, products, topography, scale of operations and culture, states should be afforded greater leeway in identifying priorities that can be addressed through agricultural-based conservation programs. For example, a process that would allow for states to refine and/or develop the land eligibility criteria or definition of what constitutes a *farm* (based on local information and resource settings) would allow for a substantial increase in conservation program efficiency and equity during program delivery. State technical committees should be empowered with greater flexibility in determining where to spend Farm Bill conservation funding, how to best allocate priorities and which practices are allowable under conservation title programs.

### ***Funding Allocation***

#### **Recommendation**

**In addressing large backlogs of requests, provide funding for areas and programs which will achieve the highest environmental benefit possible, by directing funds to the areas with the most environmentally at-risk or highly erodible lands.**

#### **Rationale**

While it may seem obvious that funding should be directed to the most threatened or critical areas first, it is not always the case. Mechanisms to add priority to enrollments in areas which reflect a greater environmental need will generate a greater return on the conservation investment.

#### **Recommendation**

**Structure Farm Bill conservation funding to ensure a reasonable equitable geographic distribution.**

#### **Rationale**

Despite having a significant agricultural land base, Pennsylvania receives less than the national average in several Farm Bill programs. Discounting programs which are

restricted to a limited number states, a more equitable geographic distribution of funding would allow Pennsylvania to reach its land and water conservation goals more quickly.

## **SPECIFIC CONSERVATION TITLE PROGRAMS**

### ***Conservation Reserve Program (CRP)***

#### **Recommendation**

**Increase the enrollment cap to 45 million acres in light of the broad geographic applicability and proven track record of the program and its expansions.**

#### **Rationale**

In 2000 Pennsylvania embarked on its first ever CREP program in the 20 southernmost counties of PA's portion of the Chesapeake Bay watershed. Since this landmark program began the remainder of the counties in the Chesapeake Bay watershed within Pennsylvania and the entire Ohio River and Lake Erie watersheds have been added to Pennsylvania's CREP program. When combined the three CREP regions in Pennsylvania make up the largest CREP in the nation and currently Pennsylvania leads the nation in CREP enrollment. In order to sufficiently accommodate CREP, expanded enrollment potential and new programmatic changes, an increase in the CRP acre allocation is required.

#### **Recommendation**

**Require state technical committees to prioritize existing CRP contracts to achieve long term conservation benefits.**

#### **Rationale**

At present, acres enrolled in CRP are home to some of the nation's most imperiled plant and animal species and communities. Long-term preservation of these lands would provide protection of the species.

### ***Conservation Reserve Enhancement Program (CREP)***

#### **Recommendation**

**Increase CREP contract rental rates by basing them on conservation values, not simply the land value.**

#### **Rationale**

This change would result in several programmatic benefits: CREP rental rates would better reflect the conservation value of CREP; CREP acres, by virtue of the pricing system, would better target the program to sensitive environmental areas; and CREP enrollment would be better targeted to less productive agricultural land.

**Recommendation**

**Gradually increase the length of renewed contracts for the same parcels of land.**

**Rationale**

For a first renewal (second enrollment), the contract length should be a maximum of twenty years. For a second renewal (or third enrollment) a maximum of thirty years would be appropriate. This permits a longer commitment and guarantees environmental benefits for an extended period of time.

**Recommendation**

**Focus CREP on partial field enrollments rather than whole farm enrollments**

**Rationale**

Partial field enrollments allow the producer to more finely target CREP to the environmentally-valuable areas of a given parcel of land and as a result maximize the per-dollar conservation value.

**Recommendation**

**Tie the minimum required width of streamside buffers to the stream size.**

**Rationale**

Logically, first order streams should necessitate a smaller vegetative buffer than third order streams. Because stream order is naturally determined by drainage area, smaller vegetative buffers on first order streams would be required to achieve similar conservation benefits. This "scaling" of buffers would achieve larger conservation benefit while limited excessive expenditures for limited conservation success. In essence, allowing state technical committees to set minimum and maximum buffer width that is based on stream order and taking into consideration local topography, conservation need and production values will enhance current abilities to deliver conservation programs.

**Recommendation**

**Allow eligibility to be determined on a state-by-state basis, especially for areas of eligibility that have high regional variance, such as crop history requirements. Specifically, hayland that is part of a conservation plan should be considered as cropland under CRP/CREP and be eligible for enrollment.**

**Rationale**

Pennsylvania has taken the necessary steps to take the CREP program as defined at the national level and applies to it the unique situations and needs of Pennsylvania's agricultural landscape to make the program viable and successful at the local level. An excellent example of this scenario is the current definition of cropland eligibility that Pennsylvania uses at the county level. The eligibility criteria used by Pennsylvania match well with the goals of CREP in Pennsylvania, which emphasize the importance of protecting water quality and enhancing wildlife habitat by encouraging producers to enroll their least valuable (from the production end) and most environmentally at-risk lands into the program.

### ***Wetlands Reserve Program (WRP)***

#### **Recommendation**

**Discontinue the mandatory restoration component of WRP in determining eligibility.**

#### **Rationale**

By allowing "protection-only" enrollment, more farmers and producers can achieve environmental solutions to the most immediate threats, without having to meet impracticable requirements.

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## **FORESTRY TITLE PROGRAMS**

### ***Forest Legacy Program (FLP)***

#### **Recommendation**

**Alter the Forest Legacy Program to permit non-governmental qualified organizations to hold easements, as described in S. 941, the Suburban and Community Forestry and Open Space Act of 2005.**

#### **Rationale**

The Forest Legacy program is an example of a successful public-private conservation partnership between Federal and state government and private landowners. Annually, the President's budget request includes tens of millions of dollars to fund selected projects in up to 42 states. Making this change would add significantly-increased flexibility to the program and enable more projects to be considered. In addition, the increased project competition at the state level will ensure that the most worthy projects will be recommended to the national project selection committee.

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### ***Forestland Enhancement Program (FLEP)***

#### **Recommendation**

**Add measures to FLEP which would ensure that the funds appropriated to this program are used solely for the implementation of sustainable forestry management objectives.**

#### **Rationale**

Since its creation in 2002, the Forestland Enhancement Program has never received full funding nor has it achieved its intended purpose. Repeatedly, funds allocated for this program have been diverted to other priorities. The original purpose of this program was to provide for technical, educational, and cost-share assistance to promote sustainability

of non-industrial, private forests. In order to steer the program back to its stated mission, more restrictions on the use of funds is necessary.

Recommendation

**Increase funding for Federal cost-share of qualified practices under this program.**

Rationale

By granting more funding for Federal cost-share assistance, more private landowners can implement sustainable forestry practices on their land.

Recommendation

**U.S. Forest Service should be directed to expand enrollment efforts to more accurately reflect need, priority and geographical distribution.**

Rationale

Pennsylvania has a \$5 billion forest products industry and almost 17 million acres of forestland, of which 12 million acres (60%) are privately held. Due to this large percentage of extant forestland in private ownership, Pennsylvania could make great use of this program.

**CLOSING**

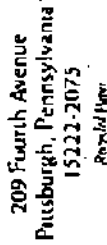
With over \$782 billion in prescribed spending, and a far-reaching scope of programs that impacts every state, the Farm Bill is a piece of legislation that possesses a unique magnitude. The opportunities for achieving significant improvements to agriculturally-based conservation are proportionally great and should not be missed. We urge you to consider the comments submitted above and incorporate them into the dialogue which will shape the 2007 Farm Bill in the coming year.

Thank you for this opportunity to comment. If you require further clarification or information, please Tolif Hunt at (724) 459-0953 x.105 or at [thunt@paconserve.org](mailto:thunt@paconserve.org).

Sincerely,



Nick Pinizzotto  
Senior Director, Watershed Programs  
Western Pennsylvania Conservancy



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United States Department of Agriculture  
Attn: Farm Bill Comments, Secretary Mike Johanns  
1400 Independence Ave. SW

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